

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BARBARA FERRERA,)	
)	
Plaintiff,)	Cause No.: 3:24-CV-2322-JPG
)	
v.)	
)	
GARY JONES TRANSPORTATION,)	
LLC and PAUL JONES,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Barbara Ferrera's motion to compel defendant Paul Jones to produce "cellular and telephone records" for the date Ferrera was struck and injured by a vehicle and eight days prior to the accident (Doc. 39). Jones has objected that the documents requested are irrelevant and that the request is not tailored in time, scope, or content. Nevertheless, he stated he would supplement his response with any non-objectionable documents, but no documents were forthcoming. Jones has responded to the motion stating that, although he views the request as overly broad, he has tried to obtain possession of the requested phone records but has been unable to obtain them (Doc. 40).

Rule 37(a) allows a party to move for an order compelling disclosure or discovery in the appropriate court after the party has made a good faith attempt to confer with the opposing party to settle the matter without court action.

It appears Ferrera wants Jones to produce records he does not have. Under these circumstances, an order to compel would not be appropriate. Accordingly, the Court **DENIES** the motion (Doc. 39). If Ferrera seeks to subpoena the information from Jones's cell phone provider, the Court would view a request for his phone records for the day of the accident as not overly broad.

IT IS SO ORDERED.

DATED: October 14, 2025

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE